

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION

ALBERTO N., ET AL.,

Plaintiffs,

vs.

ALBERT HAWKINS, ET AL.,

Defendants

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Civil Action No. 6:99-CV-00459

**ADVISORY TO THE COURT AND TWENTY-SIXTH JOINT MOTION
TO ABATE PLAINTIFFS' MOTION FOR ENFORCEMENT
OF THIS COURT'S ORDERS DATED JUNE 23, 2005, AND FEBRUARY 22, 2008**

The Parties respectfully file this Advisory and Twenty-Sixth Joint Motion to Abate Plaintiffs' Motion for Enforcement of this Court's Orders Dated June 23, 2005, and February 22, 2008, filed on June 30, 2009 ("Plaintiffs' Motion to Enforce") [Doc. 258]. The Parties move the Court to abate Plaintiffs' enforcement motion until April 21, 2015, and to extend Defendants' deadline for responding to Plaintiffs' Motion to Enforce, if necessary, to May 21, 2015, to provide the Parties additional time to continue their ongoing settlement discussions. In support, the Parties would show as follows:

The Parties believe that they have reached an agreement in principle on the substantive matters necessary to resolve all issues raised by Plaintiffs' Motion to Enforce. Additional time, however, is still needed to finalize the terms of the agreement, and for the consideration, review, and approval by state officials. To that end, the Parties have exchanged comments on proposed settlement terms, and are engaged in on-going discussions on how to finalize the agreement and the timeline for doing so.

Accordingly, the Parties move that Plaintiffs' Motion to Enforce be abated until April 21,

2015, at which time the Parties will again jointly advise the Court of the status of the Parties' settlement efforts. If, at that time, the issues have not been resolved and the Parties advise the Court that further discussions would not be productive, then Defendants will file their responsive brief on May 21, 2015.

The Parties seek the requested abatement for good cause, in the interest of justice, and not for the purposes of delay.

Therefore, for the reasons stated above, the Parties respectfully move the Court to grant this motion, abate Plaintiffs' Motion to Enforce until April 20, 2015, and extend to May 21, 2015 the deadline for Defendants to file their response to Plaintiffs' Motion to Enforce, should such a response be necessary.

Dated: January 21, 2015

/s/ Peter Hofer
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Respectfully submitted,

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ATTORNEYS FOR DEFENDANTS

CERTIFICATE OF CONFERENCE

I certify that counsel for Plaintiffs and counsel for Defendants conferred regarding the *Advisory to the Court and Twenty-Fourth Joint Motion for Enforcement of this Court's Orders Dated June 23, 2005, and February 22, 2008*, and that the parties are in agreement regarding the matters addressed in this advisory and joint motion.

/s/ Peter Hofer
PETER HOFER